

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NW/Corner Belair Road & Glen Park Road *
(9620 Belair Road) * ZONING COMMISSIONER
11th Election District *
5th Council District * OF BALTIMORE COUNTY

Northview Associates * Case No. 02-216-X
c/o Continental Realty Corp. *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, Northview Associates, in care of Continental Realty Corporation, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special exception to permit a community building on the subject site, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioners were David Strouse, a representative of Continental Realty Corporation, and Lynne and Victor Brick, Proprietors of Brick Bodies, the fitness center/health club which will occupy the proposed community building. Also appearing were Bob Capalongo and Daniel Blevins, representatives of Whitney, Bailey, Cox & Magnani, Inc., the consultants who prepared the site plan for this property; and David Karceski, Esquire, attorney for the Petitioners. Dennis Eckard appeared on behalf of the Perry Hall Improvement Association, Inc. in support of the request. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is an irregular shaped parcel located on the northwest corner of Belair Road and Glen Park Road in the vicinity of Chapel Road in Perry Hall. The property contains a gross area of 6.072 acres, more or less,

ORDER RECEIVED FOR FILING

Date 1/29/02

By [Signature]

predominantly zoned B.L.-A.S., with a small sliver of D.R.3.5 and D.R.5.5 zoned land in the northernmost corner of the site. The property is improved with a one-story brick and block retail shopping center containing 47,516 sq.ft. in area. Tenants include a dry cleaning business, an insurance company, a hair salon, travel agency and other similar uses. In addition to the strip shopping center building, there is a one-story brick service station in the southern (front) corner of the site, near the intersection of Belair Road and Glen Park Road, and a one-story bank building in the southeast corner of the site adjacent to Belair Road. In addition, a large parking area containing 329 parking spaces exists. Vehicular access to the site is by way of two curb cuts along Belair Road (Maryland Route 1) and a third entrance off of Glen Park Road.

Mr. & Mrs. Brick are the owners of the Brick Bodies fitness and health clubs, which operate in the Baltimore/Metropolitan region. Presently, there are two Brick Bodies centers in Baltimore County; one on Padonia Road, and a second on Reisterstown Road. There are two other centers located in Baltimore City. The Petitioners propose to locate a fifth center within the subject shopping center. Similar to the other Brick Bodies center, the proposed operation will offer various fitness and exercise programs, including cardiovascular equipment, strength training and equipment, group exercise and aerobics classes, and a child care center. Details of the services provided are contained within a brochure that was marked into evidence as Petitioner's Exhibit 2.

Mr. Karceski proffered the testimony of the Petitioners' expert witnesses that the proposed use would not be detrimental to the health, safety or general welfare of the locale and was compliant with the requirements of Section 502.1 of the B.C.Z.R. That Section sets out the criteria which must be met in order for special exception relief to be granted. Mr. Eckard also testified in favor of the proposal. He noted the residential growth of the Perry Hall community over recent years, and indicated that the proposed use would provide a necessary and valuable service to the residents. He opined that the proposed location is an acceptable site for this use.

A "community building" is not listed among the terms defined in Section 101 of the B.C.Z.R. However, Section 230.13 thereof regulates the uses permitted in the B.L. zone by special exception. Among the uses enumerated therein is a community building, which is intended to be

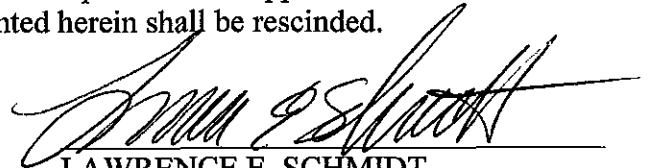
defined as a use devoted to civic, social, recreational and educational activities. Clearly, the proposed use is devoted to recreational and educational activities and fits within this definition.

Based upon the testimony and evidence offered, I am easily persuaded that the use should be granted. I concur with the testimony offered that the proposed use will not be detrimental to the health, safety and general welfare of this community. Indeed, it will provide a needed amenity to the residents of Perry Hall. Thus, the relief requested shall be granted.

Pursuant to the advertisement, posting of the property and public hearing on the Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of January, 2002 that the Petition for Special Exception for a community building on the subject site, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 1/29/12
By [Signature]



Baltimore County
Zoning Commissioner

January 29, 2002

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

David Karceski, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
NW/corner Belair Road and Glen Park Road
(9620 Belair Road)
11th Election District – 5th Council District
Northview Associates, c/o Continental Realty Corp. - Petitioners
Case No. 02-216-X

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. David Strouse, Continental Realty Corp.
17 West Pennsylvania Avenue, Towson, Md. 21204
Mr. & Mrs. Victor Brick, 201 Old Padonia Road, Cockeysville, Md. 21030
Messrs. Bob Capalongo & Daniel Blevins
Whitney, Bailey, Cox & Magnani, 849 Fairmount Ave., Suite 100, Towson, Md. 21204
Mr. Dennis Eckard, 39 Bangert Avenue, Perry Hall, Md. 21128
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 9620 Belair Road

which is presently zoned BL-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto: made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use herein described property for

Special Exception to permit a community building pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print _____

Signature _____

Venable, Baetjer and Howard, LLP

Company _____

210 Allegheny Avenue 410/494-6262

Address _____ Telephone No. _____

Towson MD 21204

City _____ State _____ Zip Code _____

Legal Owner(s):

NORTHVIEW ASSOCIATES

c/o Continental Realty Corp.

Name - Type or Print _____

SEE ATTACHED

Signature _____

Name - Type or Print _____

Signature _____ (410)

17 West Pennsylvania Ave, S-500 296-4800

Address _____ Telephone No. _____

Towson, MD 21204

City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman

Name _____

210 Allegheny Avenue 410/494-6262

Address _____ Telephone No. _____

Towson MD 21204

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 11-20-01

ORDER RECEIVED FOR FILING

Date 1/29/02

By REV 09/15/98

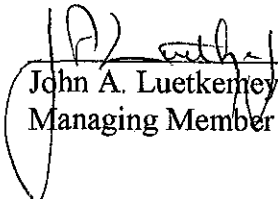
Case No. 02-216-X

SIGNATURE PAGE

Northview Associates, a Maryland general partnership

By: 
Robert C. Levin, Partner

By: Northview LLC, Partner

By: 
John A. Luetkeneyer, Jr.
Managing Member

ZONING DESCRIPTION
PORTION OF NORTHVIEW ASSOCIATES PROPERTY
DESIGNATED AS ZONE BL-AS
TAX MAP 63; PARCEL 21; 11th ELECTION DISTRICT; BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point formed by the intersection of the westerly right of way line of Belair Road (75' wide), and the northerly line of an eight foot highway widening along Glen Park Road (58' wide), as now laid out and shown on an "ALTA/ACSM LAND TITLE SURVEY OF NORTHVIEW ASSOCIATES PROPERTY" by Morris & Ritchie Associates, Inc., dated 7-15-99 revised 11-20-00.

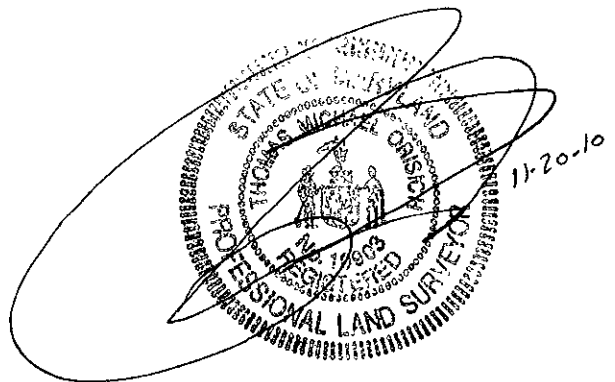
THENCE leaving said point of beginning, referring all courses of this description to the above mentioned "SURVEY"; the following nineteen (19) courses & distances, viz;

- (1) Along a curve to the right, with an arc length of 31.24 feet, a radius of 20.00 feet and a long chord of South 87 degrees 12 minutes 42 seconds West 28.16 feet
- (2) North 48 degrees 03 minutes 21 seconds West 217.51 feet
- (3) with a tangent curve to the right, having a radius of 412.20 feet and an arc length of 202.14 feet
- (4) North 19 degrees 57 minutes 28 seconds West 195.36 feet
- (5) North 25 degrees 02 minutes 31 seconds East 21.21 feet
- (6) North 70 degrees 02 minutes 31 seconds East 65.75 feet
- (7) with a tangent curve to the left, having a radius of 220.00 feet and an arc length of 203.50 feet
- (8) North 81 degrees 18 minutes 34 seconds East 33.02 feet
- (9) South 76 degrees 08 minutes 18 seconds East 96.15 feet
- (10) North 48 degrees 14 minutes 23 seconds East 67.58 feet
- (11) North 81 degrees 18 minutes 34 seconds East 28.69 feet
- (12) South 48 degrees 36 minutes 16 seconds East 111.02 feet
- (13) South 18 degrees 09 minutes 12 seconds West 44.99 feet
- (14) South 47 degrees 00 minutes 32 seconds East 313.40 feet
- (15) South 41 degrees 58 minutes 37 seconds West 50.42 feet
- (16) North 48 degrees 04 minutes 42 seconds West 184.86 feet
- (17) South 41 degrees 55 minutes 18 seconds West 132.00 feet
- (18) South 48 degrees 04 minutes 42 seconds East 184.73 feet
- (19) South 41 degrees 58 minutes 37 seconds West 327.21 feet

To the point of beginning,

CONTAINING an AREA of 6.036 ACRES of land, more or less.

BEING a portion of the parcel of land as recorded in Deed Liber 9843, Folio 100 among the Land Records of Baltimore County. Being known as 9620 Belair Road, and located in the 11th Election District.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **081**

DATE 11-20-01 ACCOUNT 001-006-6150
AMOUNT \$ 300.00

RECEIVED FROM: Vanable, Boettler & Howard LLP
7620 Belair Rd. ITEM # 216
FOR: OSU - Special Excavation Taken by: JR

PAID RECEIPT

PAYMENT ACTUAL TIME
11/21/2001 11/20/2001 15:13:54
REL MG05 CASHIER KLAG KAC DRAMER
RECEIPT N 238465 OFLN
Dept 5 520 ZONING VERIFICATION
CR NO. 008109

Recpt Tot 300.00
300.00 OK .00 CA
Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

BLUE - ACCOUNT

YELLOW - CUSTOMER

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-216-X
9620 Belair Road
NW Corner Glen Park Road
and Belair Road

11th Election District
5th Councilmanic District
Legal Owner(s): John A.

Luetkemeyer, Jr.
Special Exception: to permit a community building.
Hearing: Thursday, January 17, 2002 at 9:00 a.m.
in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

1/022 Jan. 3 C513202

CERTIFICATE OF PUBLICATION

1/3, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/3, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-216-X

Petitioner/Developer: #9620 BELAIR RD, ETAL
% VENABLE - AMY DONTILL

Date of Hearing/Closing: 1/17/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #9620 BELAIR RD.

The sign(s) were posted on 1/2/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/2/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

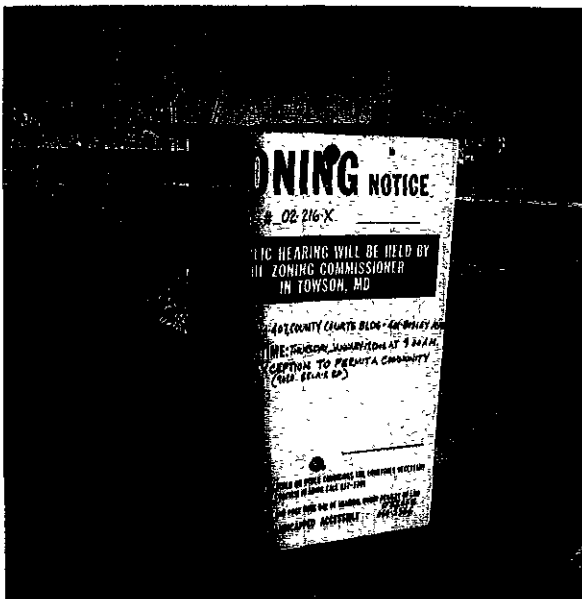
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



02-216-X
#9620 BELAIR RD.
1/17/02

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number:

02-216-X

Petitioner:

Northview Associates

Address or Location:

9620 Belair Road

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Amy Donnell

Address:

210 Alhambra Avenue
Towson, Maryland 21204

Telephone Number:

(410) 444-6244

TO: PATUXENT PUBLISHING COMPANY
Thursday January 3, 2002 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

410 494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-216-X
9620 Belair Road
NW/Corner Glen Park Road and Belair Road
11th Election District – 5th Councilmanic District
Legal Owner: John A Luetkemeyer Jr

Special Exception to permit a community building.

HEARING: Thursday, January 17, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT CDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 21, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-216-X
9620 Belair Road
NW/Corner Glen Park Road and Belair Road
11th Election District – 5th Councilmanic District
Legal Owner: John A Luetkemeyer Jr

Special Exception to permit a community building.

HEARING: Thursday, January 17, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon G.D.²
Director

C: Robert A Hoffman, Venable Baetjer and Howard, 210 Allegheny Avenue,
Towson 21204
John A Luetkemeyer Jr, Northview Associates, 17 W Pennsylvania Avenue,
Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 2, 2002**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 14, 2002

Robert A Hoffman
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 02-216-X, 9620 Belair Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 20, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: John A Luetkemeyer Jr, Northview Associates, 17 W Pennsylvania Avenue,
Towson 21204
People's Counsel


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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: January 11, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 24, 2001
Item Nos. 200, 201, 202, 204, 205, 206,
208, 209, 210, 211, 212, 213, 215, 216,
217, 218, 219, and 220

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.


RWB:HJO:jrb

cc: File

Ho
1/17

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. DATE: January 11, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 24, 2001
Item Nos. 200, 201, 202, 204, 205, 208,
209, 210, 211, 212, 213, 215, 216, 217,
218, 219, and 220
REVISED January 23, 2002
(Item No. 206 has been removed from
the above items and has been updated.)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 2, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 17, 2001

Item No.: 203, 204, 206, 209, 215, 216,

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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Printed with Soybean Ink
on Recycled Paper

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1117

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: January 7, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

JAN - 7

SUBJECT: 9620 Belair Road

INFORMATION:

Item Number: 02-216

Petitioner: Northview Association

Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a community building pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

Prepared by: Mark A. Coughlin

Section Chief: Jeffrey M. Long
AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 12.31.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 216 JRF

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 1 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
9620 Belair Road, NW Cor Glen Park Rd
and Belair Rd
11th Election District, 5th Councilmanic

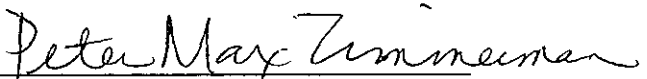
Legal Owner: Northview Associates, by Northview LLC
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-216-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DAVID KACCSIA

BOB CAPALONGO

DANIEL BLEVINS

LYNNE BRICK

VICTOR BRICK

DAVID STROUSE

210 ALLEGHENY AVE. TOWSON

849 FAIRMOUNT AVE. STE 100
TOWSON

849 FAIRMOUNT AVE STE 100
TOWSON

201 OLD PADONIA RD Cockeysville 21030

201 OLD PADONIA RD Cockeysville 21030

17 West Pennsylvania Ave Towson 21204





IMPROVEMENT ASSOCIATION, INC.

P.O. Box 63 Perry Hall, Maryland 21128

<http://www.bcpl.net/~phia>

phia@mail.bcpl.net

RESOLVED: That the position of the Perry Hall Improvement Association as adopted by the Zoning, Development, and Permits Committee on the zoning matter known as:

the petition for Brick Bodies at the Northview Shopping Center


is that:


the PHIA supports the petitioner's request for a zoning change.

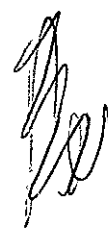
As witness our hands and seal this 15th day of January, 2002.

ATTEST:

Perry Hall Improvement Association


William Libercci, Secretary


David Marks, President

 Citizen Ex
No 1A



IMPROVEMENT ASSOCIATION, INC.

P.O. Box 63 Perry Hall, Maryland 21128

<http://www.bcpl.net/~phla>

phla@mail.bcpl.net

RESOLVED: That at the Board of Directors meeting of the Perry Hall Improvement Association held on Sunday, January 13, 2002, it was decided by the Association that responsibility for review and action on all zoning matters for the period 2002-2003 be placed in the Zoning, Development, and Permits Committee consisting of the following members, each of whom is hereby authorized to testify on behalf of the Association before the County Board of Appeals or other duly constituted zoning agency, body, or commission:

Chairman Dennis Eckard;
Debra Beaty
William Libercci
Beverly Long
Edward Watts

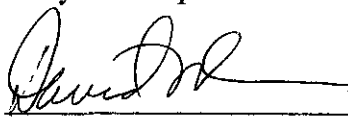
David Marks, president of the Perry Hall Improvement Association (ex officio committee member)

As witness our hands and seal this 13th day of January, 2002.

ATTEST:

Perry Hall Improvement Association


William Libercci, Secretary


David Marks, President

*Citizen
No 1B*

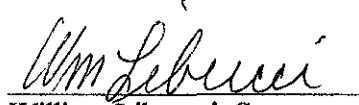
AFFIVADIT

STATE OF MARYLAND
BALTIMORE COUNTY, SS:

To WIT:

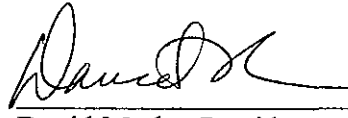
I hereby swear under penalty of perjury that I am currently a duly elected member of the Zoning, Development, and Permits Committee of the Perry Hall Improvement Association.

ATTEST:



William Libercci, Secretary

Perry Hall Improvement Association



David Marks, President

Date: January 13, 2002

Citizen
14

We make your fitness fun!

Here's what our members say:



Since joining Brick Bodies Personal Training program, I've lost 28 pounds! My personal trainer has kept me focused on attaining my goals. It's great to belong to a club where the staff is super friendly and the people know your name!

Kara Brennan, member 1-1/2 years



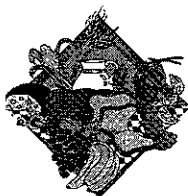
What a fantastic club. Terrific staff, great trainers, and energizing classes. The variety of equipment offers so many options. There is no room for boredom.

David Ali, member 9 years



I've lost over 8% body fat and now have more energy and motivation than ever before. At age 60, I can truly say Brick Bodies has made a wonderful change in my life!

Pat Reichert, member 13 years



With Lynne Brick's Healthy Inspirations, I lost 20 pounds and 2 clothing sizes in 10 weeks. The staff listens carefully and modifies my diet when it's not matching my metabolism or cooking style.

Fran Bloksberg, member 6 months

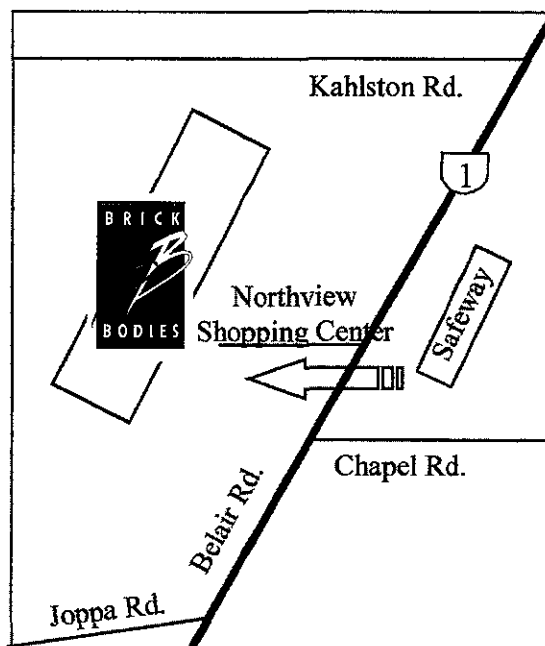
Lynne Brick's Healthy Inspirations

Weight Loss and Lifestyle Center

- ✓ Individual eating programs to meet your lifestyle
- ✓ Personalized, one on one coaching & counseling
- ✓ Simple, hydraulic exercise circuit that only takes 29 minutes
- ✓ Individual tranquility sessions to provide with stress-releasing, body massaging weekly indulgence
- ✓ Synergic sessions to reduce cellulite and firm skin

Projected

January 2002



Brick Bodies in Perry Hall

9634 Belair Rd

Perry Hall Md. 21236

410-529-BFIT

www.brickbodies.com

**Hours: M-TH 5am-10pm; Fri 5am-8pm
Sat & Sun 7am-7pm**

Get in shape and lose weight at the all new



**Perry Hall
Health Club**

Walter
Located in the
Northview Shopping Center
soon to be renamed
Brick Bodies Square
410-529-BFIT
www.brickbodies.com

We make your fitness fun!

Club programs and services

✓ Fitness Assessment and Exercise Program

Comprehensive evaluation and personalized work out program

✓ Cardiovascular Center

Life Fitness Heart Rate Treadmills

Elliptical Cross Trainers

Upright and Recumbent Bikes

Stairmaster Free Climber Steppers

Stairmaster Gauntlet

✓ Strength Training/Personal Training

Icarian Pin Loaded Line

Life Fitness Pin Loaded Line

Hammer Strength Line

Free Weights

Dumbbells 2 sets 5 to 60 lbs and 1 set 60 to 120 lbs

Power Rack

Smith Machine

FTS Cable driven Precor

✓ Group Exercise Classes

LAND PROGRAMS

OFF-SITE WATER PROGRAMS

Hi/Lo

Body Pump tm

Step Aerobics

Indoor Cycling

Pilates

Yoga

Cardio Kick Boxing

Lap Swim

Water Aerobics

Beginner and Master Swims

Swimming Lessons

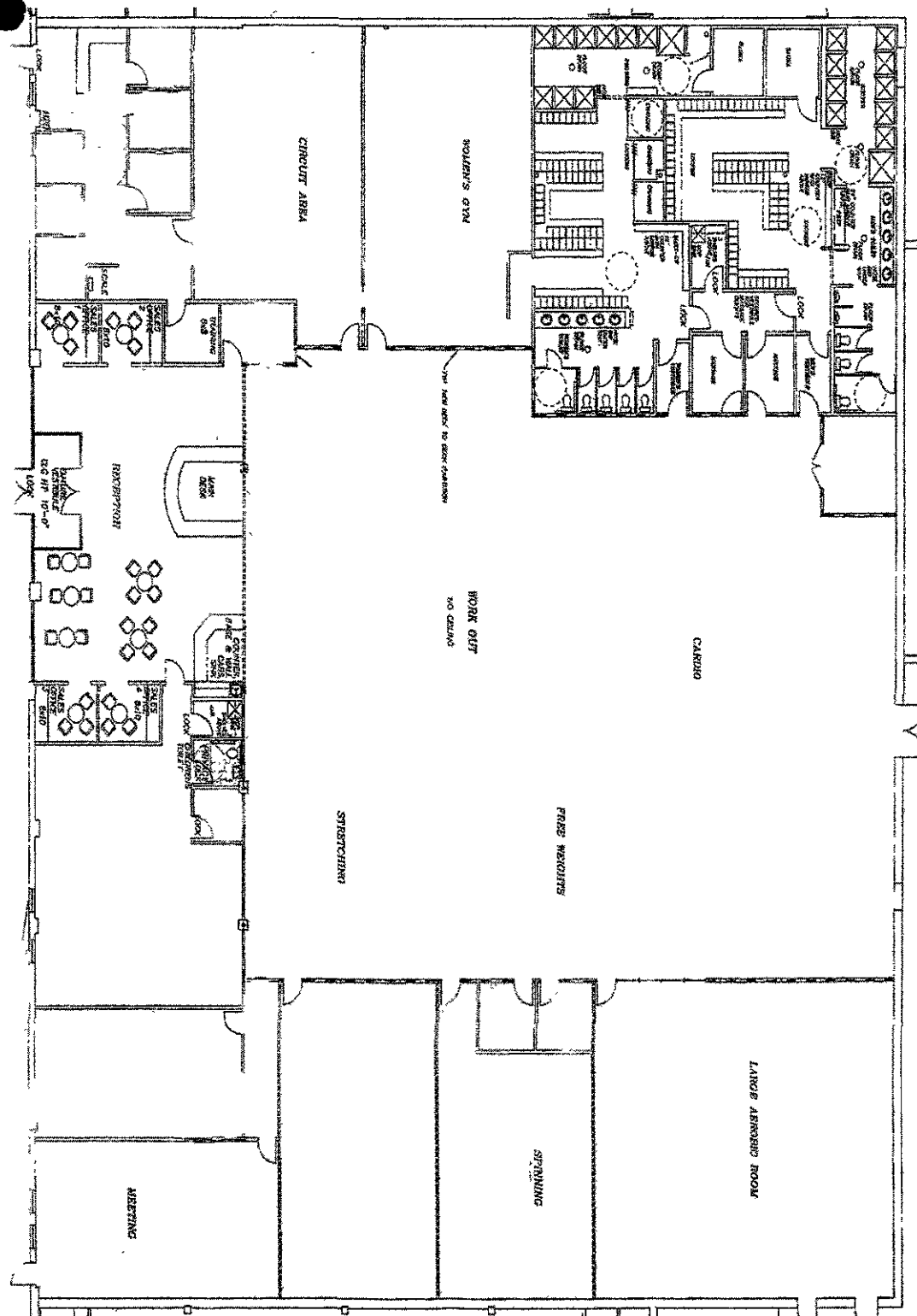
CPR Certification

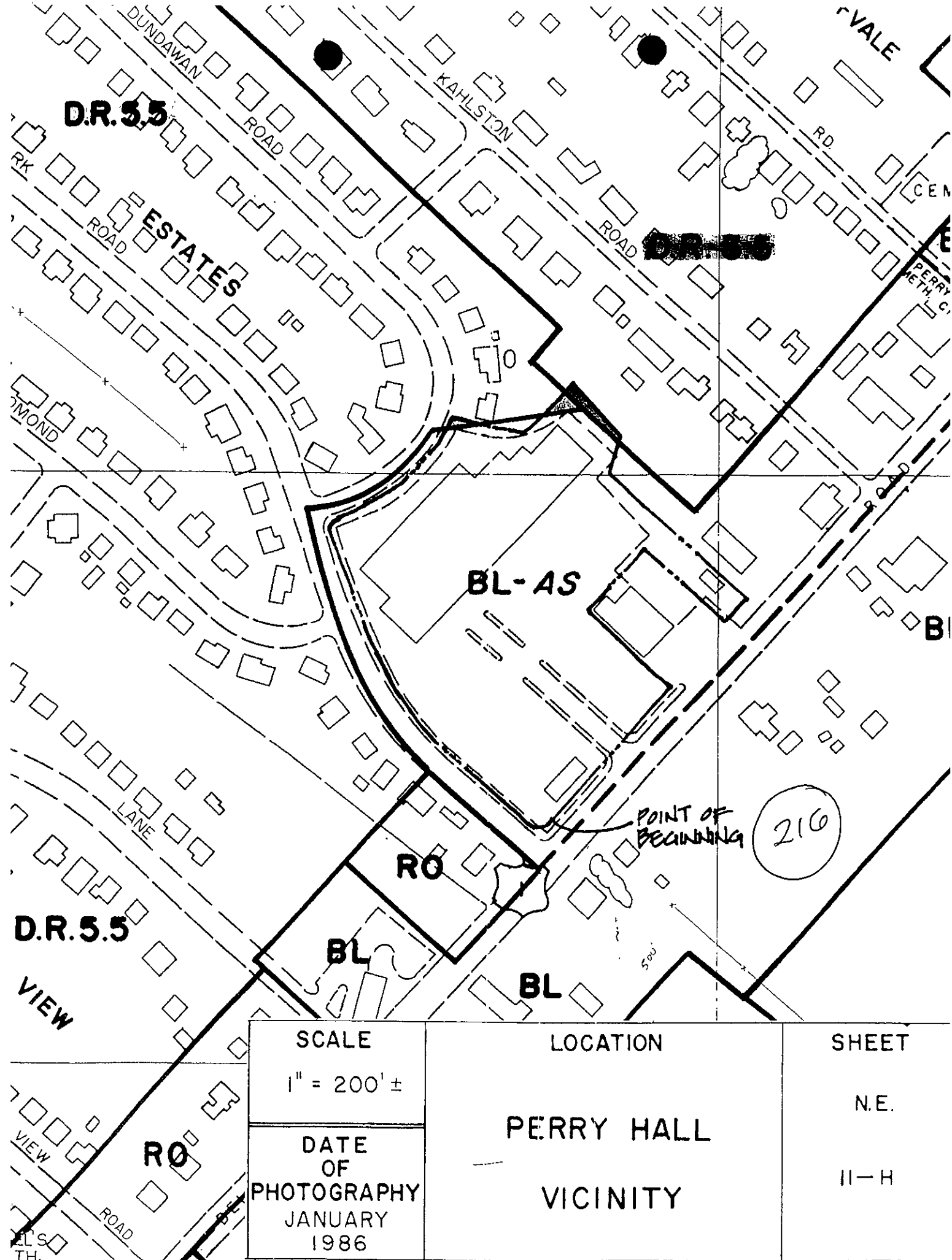
✓ Flexibility Center

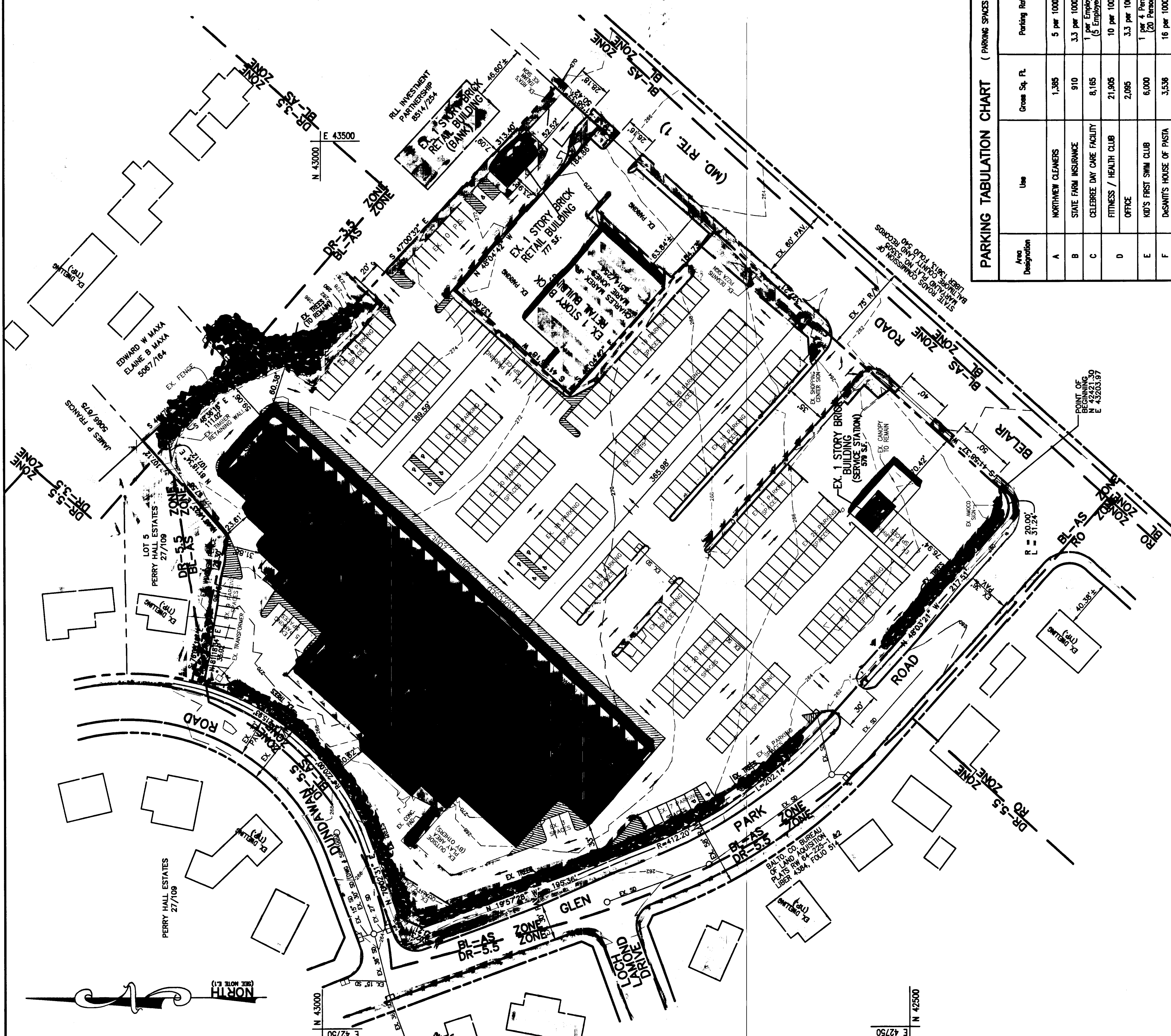
Stretchmate and Precor Flexibility Tools

✓ Child Care

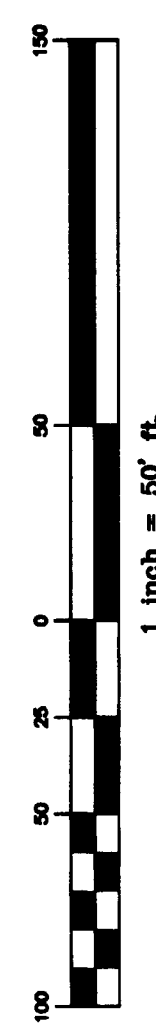
Massage



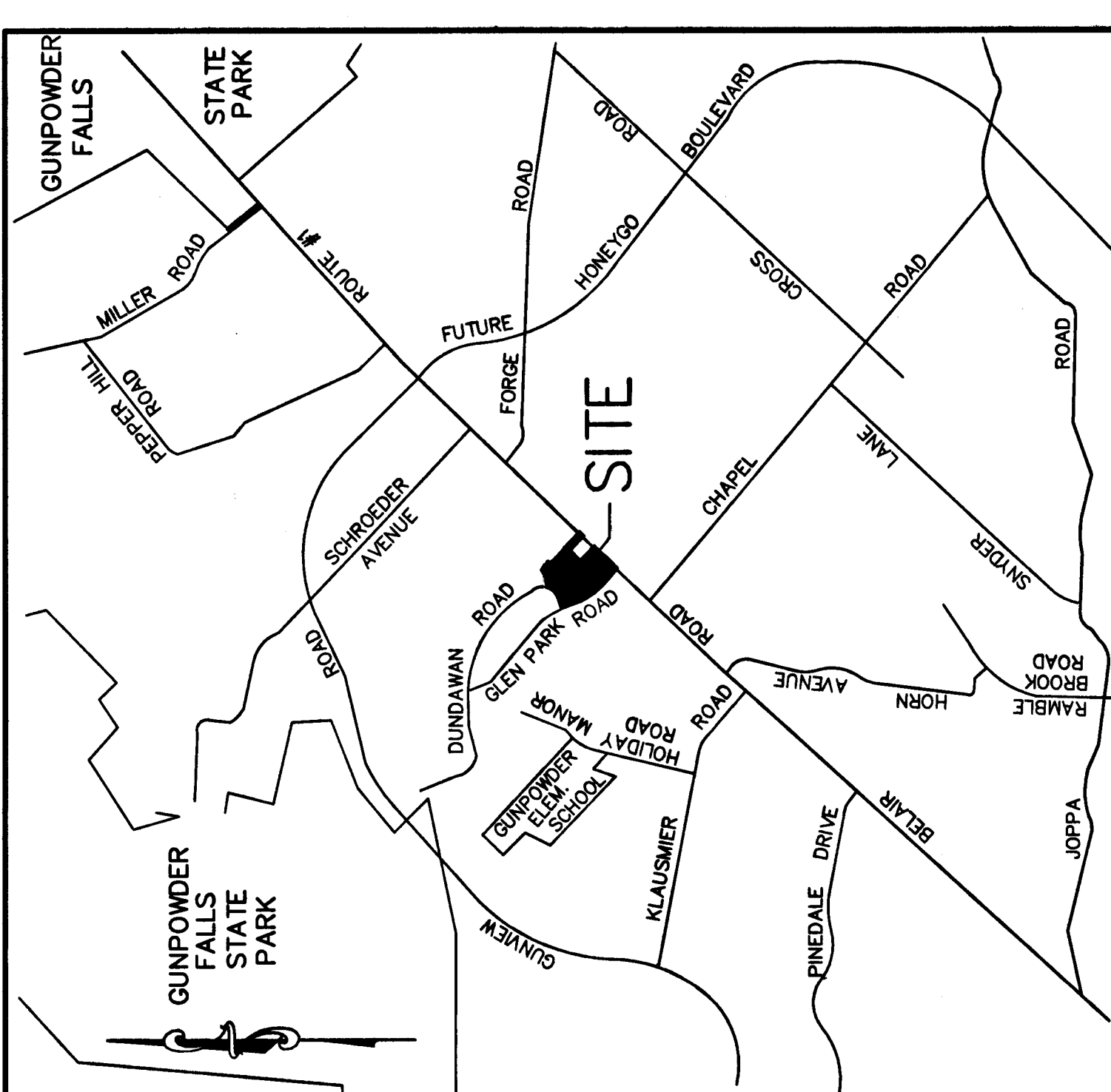




PLAN
SCALE: 1"=50'



- SITE GENERAL NOTES**
- A. OWNER/DEVELOPER: NORTHVIEW ASSOCIATES
C/O CONTINENTAL REALTY CORPORATION
17 WEST PENNSYLVANIA AVE
BALTIMORE, MD 21201
CONTACT: MR. CHRIS NOWALK
(410) 296-4800
- B. PLAN PREPARED BY: NORTHVIEW ASSOCIATES, LLC
849 FARMOUNT AVENUE
BALTIMORE, MARYLAND 21206-2824
ATTN: ROBERT CAPALONGO, RLA
PHONE: (410) 512-4588
- C. SITE LOCATION:
1. STREET ADDRESS: 9620 BELAIR ROAD
2. ELECTION DISTRICT: 11TH
3. COUNCILMANIC DISTRICT: 5TH
4. CENSUS TRACT: 4114.03
5. AUC MAP: MAP 21, GRID E-4
6. ZONING AND TOPOGRAPHY MAP: MAP 21, GRID 21, PARCEL 21
7. TOWN MAP: MAP 21, GRID 21, PARCEL 21
8. SOILS MAP: MAP 21, GRID 21, PARCEL 21
9. WATER & SEWER DESIGNATION: S1, W1
10. TAX ACCOUNT # 16-00-00642 and 22-00-00643
11. DEED REFERENCE: LIBER 9843, FOLD 100
- D. EXISTING SITE DATA AND ZONING:
1. GROSS SITE AREA: 6,072 AC ±
2. EXISTING ZONING: DR-15, DR-10, DR-5.5
3. EXISTING LAND USE: COMMERCIAL / RETAIL
4. AREA AND HEIGHT REGULATIONS:
REAR YARD - NOT LESS THAN 20' (ABUTS RESIDENTIAL LOT AT N.E. CORNER)
FRONT YARD - NOT LESS THAN 10' (ABUTS RESIDENTIAL LOT AT N.E. CORNER)
SIDE YARD - NOT LESS THAN 20' (ABUTS RESIDENTIAL LOT AT N.E. CORNER)
FLOOR AREA RATIO: F.A.R. IS 1.0
ALLOWABLE HEIGHT: 40' MAXIMUM
- E. EXISTING SITE INFORMATION:
1. EXISTING TOPOGRAPHY SURVEY ON THIS PLAN WAS FIELD RUN BY MORRIS & RITCHIE ASSOC. INC. EXISTING BOUNDARY AND BUILDING LOCATION WAS TAKEN FROM ALTA/ASBL LAND TITLE SURVEY DATED 7/15/2000 PREPARED BY MORRIS & RITCHIE ASSOCIATES, INC. (BASIS OF BEARING)
2. SOILS INFORMATION WAS TAKEN FROM THE USDA SOIL SURVEY OF BALTIMORE COUNTY, MARYLAND. EXISTING WOODED AREAS DESIGNATED TO REMAIN ARE SHOWN ON THIS PLAN.
3. THERE ARE NO KNOWN WETLANDS, FLOODPLAIN, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HABITAT OF HAZARDOUS MATERIALS ON THIS PROPERTY.
4. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
- F. PROPOSED SITE DATA AND ZONING:
1. PROPOSED ZONING: DR-15, DR-10, DR-5.5
2. PROPOSED LAND USE: COMMERCIAL / RETAIL
3. AREA AND HEIGHT REGULATIONS:
PROPOSED BUILDING SETBACKS:
REAR YARD - NOT LESS THAN 20' (ABUTS RESIDENTIAL LOT AT N.E. CORNER)
FRONT YARD - NOT LESS THAN 10' (ABUTS RESIDENTIAL LOT AT N.E. CORNER)
SIDE YARD - NOT LESS THAN 20' (ABUTS RESIDENTIAL LOT AT N.E. CORNER)
FLOOR AREA RATIO: F.A.R. IS 1.0
ALLOWABLE HEIGHT: 40' MAXIMUM
- G. PROPOSED DEVELOPMENT INFORMATION:
1. PARKING CALCULATIONS:
(SEE PARKING TABULATION CHART THIS SHEET)
2. ANY FUTURE USED TO ILLUMINATE AN OFF STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM RESIDENTIAL LOTS ON PUBLIC STREETS.
3. ALL PROPOSED SIGNS SHALL CONFORM TO SECTION 450.0 OF THE BALTIMORE COUNTY ZONING REGULATIONS.



VICINITY MAP

Scale: 1" = 1000'

BENCHMARKS

- BM # X-4582 ELEVATION - 288.512
GALVANIZED SPIKE IN MACADAM IN FRONT OF GARAGE
AT 4102 KAHLSTON ROAD.
- BM # X-4583 ELEVATION - 302.758
GALVANIZED SPIKE IN MACADAM IN FRONT OF GARAGE
AT 4125 KAHLSTON ROAD.

SPECIAL EXCEPTION REQUEST:
SPECIAL EXCEPTION IS REQUESTED TO PERMIT A COMMUNITY BUILDING PURSUANT TO SECTION 230.13 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

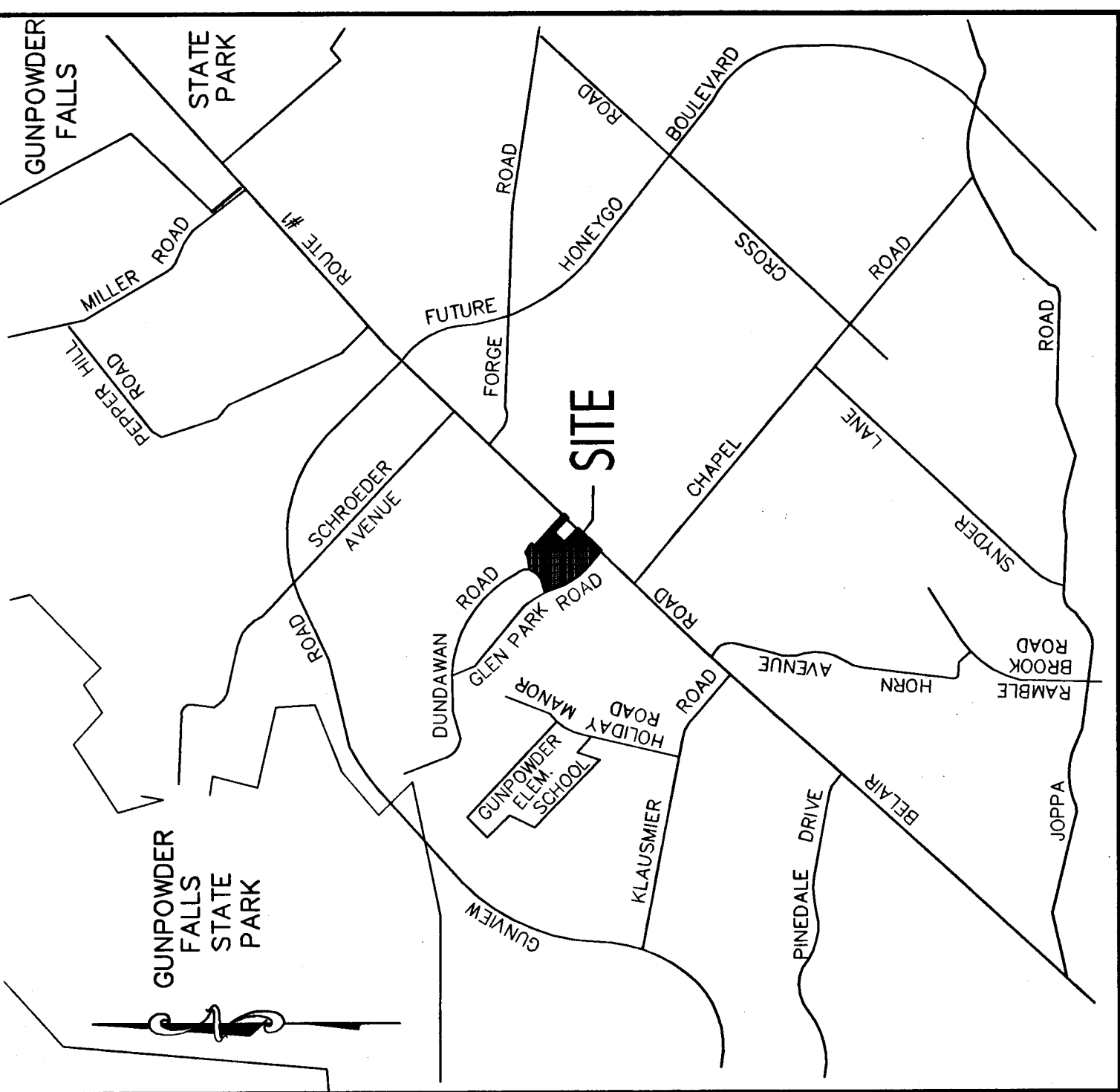
PARKING TABULATION CHART (PARKING SPACES REQUIRED BY BZCZ SECTION 408.0A)

Area Designation	Use	Gross Sq. Ft.	Parking Rate	Parking Spaces Required per Section 408.0A	WEDDAYS			WEDDAYS			WEDDAYS			Use
					6AM - 6PM	6PM - 12AM (Peak Time)	12AM - 6AM	6AM - 6PM	6PM - 12AM	12AM - 6AM	6AM - 6PM	6PM - 12AM	12AM - 6AM	
A	NORTHVIEW CLEANERS	1,350	5 per 1000 SF	6.9	60%	4.1	80%	6.2	100%	6.9	100%	4.8	5%	Retail
B	STATE FARM INSURANCE	910	3.3 per 1000 SF	3.0	100%	3.0	100%	3	100%	3	100%	2	5%	Office
C	CELEBRITY DAY CARE FACILITY	8,165	1 per Employee (5 Employees)	5.0	60%	3.0	80%	4.5	100%	5.0	100%	3.5	5%	Commercial
D	FITNESS / HEALTH CLUB	21,895	10 per 1000 SF	218.1	50%	108.6	70%	153.4	60%	131.5	25%	55.0	5%	Fitness/Health
E	OFFICE	2,095	3.3 per 1000 SF	6.9	100%	6.9	100%	3.4	50%	3.4	50%	0.3	5%	Office
F	HBO'S FIRST SHOW CLUB	6,000	1 per 4 Persons (20 Persons)	5.0	60%	3.0	80%	4.5	100%	5.0	100%	3.5	5%	Commercial
G	DESMOND'S HOUSE OF PASTA	3,536	16 per 1000 SF	56.6	50%	28.3	100%	56.6	100%	56.6	100%	56.6	100%	Restaurant
H	DESMOND'S HAIR SALON	1,120	5 per 1000 SF	5.6	60%	3.4	80%	5.0	100%	5.6	100%	3.9	5%	Retail
I	GENERAL RETAIL - WICMART	1,400	5 per 1000 SF	7.0	60%	4.2	80%	6.3	100%	7.0	100%	4.9	5%	Retail
J	TRAVEL AGENCY	1,000	3.3 per 1000 SF	3.3	100%	3.3	100%	3	100%	3	100%	2	5%	Office
K	RETA'S ITALIAN ICE	777	5 per 1000 SF	3.9	50%	2.0	100%	3.9	100%	3.9	100%	2.0	100%	Commercial
L	AMOCO GAS STATION	578	1 per Employee (2 Employees)	2.0	100%	2.0	100%	2.0	100%	2.0	100%	2.0	100%	Retail
Grand Total - Building Area (SF)					46,872									
Grand Total - Baltimore Co. Parking Required					324.3									
Existing Parking Provided					329.0									
Proposed Parking Provided					0									
Total Parking Provided					329.0									

PLAN TO ACCOMPANY A PETITION FOR SPECIAL EXCEPTION FOR NORTHVIEW SHOPPING CENTER
9620 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND 11th ELECTION DISTRICT

ENGINEERS:
Consulting Engineers
849 Farmount Avenue
Baltimore, Maryland 21206
WHITNEY, BAILEY, COX & MAGNANI, LLP
(410) 512-4500
(410) 324-4100 (FAX)

DESIGNED: DMB
DRAWN: DMB
CHECKED: ROC
DATE: 11/20/01
SCALE: 1" = 50'
DRAWING NO: 1 OF 1



VICINITY MAP
Scale: 1" = 1000'

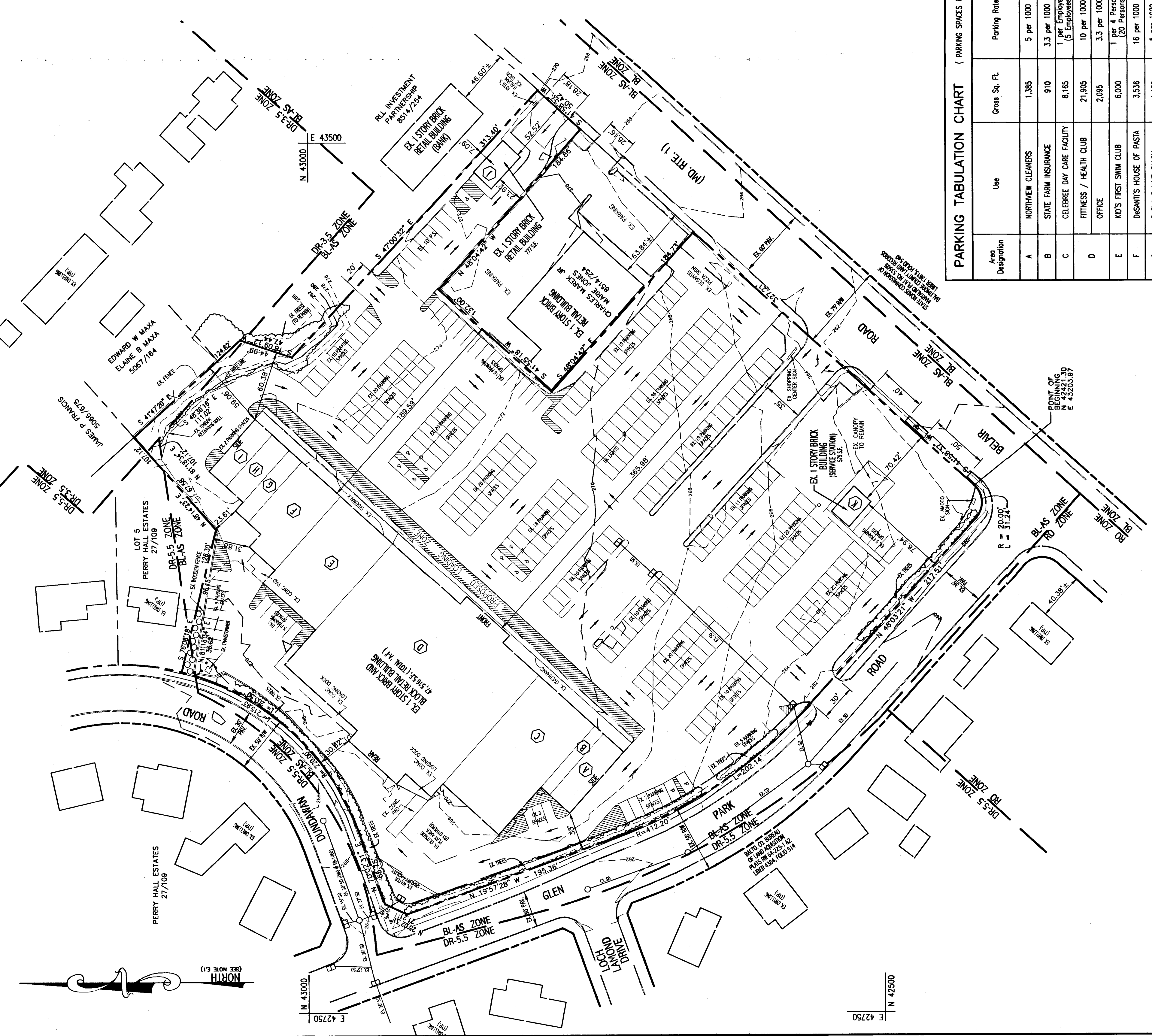
- BENCHMARKS**
- BM. # X-4582 ELEVATION - 288.512 GALVANIZED SPIKE IN MACADAM IN FRONT OF GARAGE AT 4102 KAHLESTON ROAD.
 - BM. # X-4583 ELEVATION - 302.758 GALVANIZED SPIKE IN MACADAM IN FRONT OF GARAGE AT 4125 KAHLESTON ROAD.

SPECIAL EXCEPTION REQUEST:
SPECIAL EXCEPTION IS REQUESTED TO PERMIT A COMMUNITY BUILDING PURSUANT TO SECTION 230.13 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

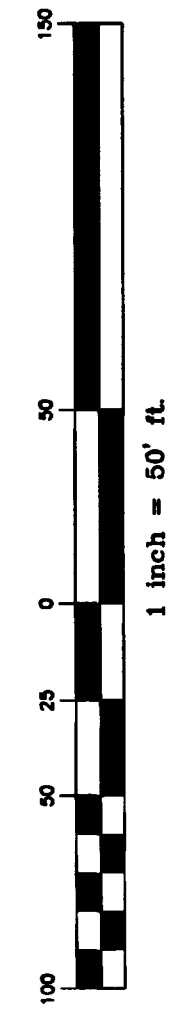
216

SITE GENERAL NOTES

- A. OWNER/DEVELOPER**
NORTHVIEW ASSOCIATES
COMMERCIAL REALTY CORPORATION
17 WEST PENNSYLVANIA AVE
TOWSON, MD 21204
CONTACT: MICHAEL NOWALK
(410) 280-1800
- B. PLAN PREPARED BY:**
WHITNEY, BAILEY, COX & MAGNANI, LLC
849 FAIRMOUNT AVENUE, SUITE 100
BALTIMORE, MARYLAND 21206
ATTN: ROBERT CAPALONGO, P.L.A.
PHONE: (410) 512-4588
- C. SITE LOCATION:**
1. STREET ADDRESS: 9620 BELAIR ROAD, BALTIMORE, MD 21203
2. ELECTION DISTRICT: 11TH
3. CONGRESSIONAL DISTRICT: 4TH
4. CONSENT TRACT: 411433
5. ZONING AND TOPOGRAPHY MAP: NE 11-41
6. TAX MAP: MAP #63, GRID 21, PARCEL 21
7. SOILS MAP: MAP #30
8. WATER & SEWER DESIGNATION: ST. W. 010410 ON 72-00-016443
9. FUTURE ACCOUNT # 100
10. DEED REFERENCE: LIBER 6841, FOLIO 100
- D. EXISTING SITE DATA AND ZONING:**
1. GROSS SITE AREA: 6.072 AC ±
2. EXISTING ZONING: BL-AS, DR-3.5 & DR-3.5
3. EXISTING LAND USE: COMMERCIAL / RETAIL
4. AREA AND HEIGHT REGULATIONS:
REQUIRED BUILDING SETBACKS:
FRONT YARD - NOT LESS THAN 10' (ADJUTS RESIDENTIAL LOT AT N.E. CORNER)
SIDE YARD - NOT LESS THAN 10' (ADJUTS RESIDENTIAL LOT AT N.E. CORNER)
REAR YARD - NOT LESS THAN 20' (ADJUTS RESIDENTIAL LOT AT N.E. CORNER)
FLOOR AREA RATIO: F.A.R. IS 3.0
MAXIMUM BUILDING HEIGHT: 40' MAXIMUM
ALLOWABLE HEIGHT - 40' MAXIMUM
- E. EXISTING SITE INFORMATION:**
1. EXISTING TOPOGRAPHY SHOWN ON THIS PLAN WAS FIELD RUN BY MORRIS & RITCHIE ASSOC., INC. 7/15/2000 PREPARED BY MORRIS & RITCHIE ASSOCIATES, INC. (BASIS OF BEARING)
2. SOILS INFORMATION WAS TAKEN FROM THE USDA SOIL SURVEY OF BALTIMORE COUNTY, MARYLAND.
3. THERE ARE NO KNOWN WETLANDS, FLOODPLAIN, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HABITATS OR HAZARDOUS MATERIALS ON THIS PROPERTY.
4. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
- F. PROPOSED SITE DATA AND ZONING:**
1. PROPOSED ZONING: BL-AS, DR-3.5 & DR-3.5
2. PROPOSED LAND USE: COMMERCIAL / RETAIL
3. AREA AND HEIGHT REGULATIONS:
PROPOSED BUILDING SETBACKS:
FRONT YARD - 35.58'
SIDE YARD - 35.58'
REAR YARD - 35.58'
PROPOSED HEIGHT - 40' MAXIMUM
- G. PROPOSED DEVELOPMENT INFORMATION:**
1. (SEE PARKING TABULATION CHART THIS SHEET)
2. ANY FUTURE USED TO ILLUMINATE AN OFF STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM RESIDENTIAL LOTS OR PUBLIC STREETS.
3. ALL PROPOSED SIGNS SHALL CONFORM TO SECTION 450.0 OF THE BALTIMORE COUNTY ZONING REGULATIONS



PLAN
SCALE: 1" = 50'



PARKING TABULATION CHART (PARKING SPACES REQUIRED BY EACH SECTION 409.6A)

Area Designation	Use	Gross Sq. Ft.	Parking Rate	Parking Spaces Required per Section 409.6A	WEEKDAY				WEEKEND				Use
					6AM - 6PM	6PM - 12AM (Peak Time)	6AM - 6PM	6PM - 12AM	6AM - 6PM	6PM - 12AM	6AM - 6PM	6PM - 12AM	
A	NORTHVIEW CLEANERS	1,385	5 per 1000 SF	6.9	60%	4.1	50%	6.2	100%	6.9	70%	4.8	Retail
B	STATE FARM INSURANCE	910	3.3 per 1000 SF	3.0	100%	4.5	10%	.5	10%	.5	5%	.2	Office
C	CELEBRITY DAY CARE FACILITY (6 Employees)	6,105	1 per Employee	5.0	60%	3.0	80%	4.5	100%	5.0	70%	3.5	Commercial
D	FITNESS / HEALTH CLUB	21,905	10 per 1000 SF	219.1	50%	109.6	70%	153.4	60%	131.5	25%	55.0	Fitness/Health
E	OFFICE	2,085	3.3 per 1000 SF	6.9	100%	6.9	50%	3.4	50%	3.4	5%	0.3	Office
F	KID'S FIRST SWIM CLUB (20 Persons)	6,000	1 per 1000 SF	5.0	60%	3.0	80%	4.5	100%	5.0	70%	3.5	Commercial
G	DASANI'S HOUSE OF PASTA	3,536	18 per 1000 SF	56.6	50%	28.3	100%	56.6	100%	56.6	100%	56.6	Restaurant
H	DASANI'S HAIR SALON	1,120	5 per 1000 SF	5.6	60%	3.4	80%	5.0	100%	5.6	70%	3.9	Retail
I	GENERAL RETAIL - VACANT	1,400	5 per 1000 SF	7.0	60%	4.2	80%	6.3	100%	7.0	70%	4.9	Retail
J	TRAVEL AGENCY	1,000	3.3 per 1000 SF	3.3	100%	3.3	10%	.3	10%	.3	5%	.2	Office
K	TRAVEL AGENCY	777	5 per 1000 SF	3.9	50%	2.0	100%	3.9	100%	3.9	100%	3.9	Office
L	TRAVEL AGENCY	579	1 per 1000 SF	2.0	100%	2.0	100%	2.0	100%	2.0	100%	2.0	Office
M	AMOCO GAS STATION	48,872	1 per 1000 SF	48.9	100%	48.9	100%	48.9	100%	48.9	100%	48.9	Office
Grand Total - Building Area (SF)					174.3	246.6	227.7	138.8	227.7	138.8	227.7	138.8	
Grand Total - Building Area (SF)					324.3	329.0	329.0	329.0	329.0	329.0	329.0	329.0	
Grand Total - Building Area (SF)					329.0	329.0	329.0	329.0	329.0	329.0	329.0	329.0	